

fide attempt to respond to the Notice of Allowance dated May 29, 2007, and April 11, 2007.

Applicant's attorney paid the issue fee on June 15, 2007, which is less than three months from the mailing date of the original Notice of Allowance. Applicant's attorney also responded to an Examiner Telephone Interview on May 23, 2007 about corrections to the specification and claim 1.

Additionally, Applicant's attorney had sent a signed declaration on April 19, 2002 in Response to File Missing Parts. With the Response to File Missing Parts, Applicant's attorney filed a Postcard stating the declaration and other parts that were filed on April 19, 2002. On April 29, 2002, Cesari & McKenna received the Postcard stamped by the Office of Initial Patent Examination (OIPE). Exhibit A includes a copy of all the documents filed on April 19, 2002. Exhibit B includes a copy of the postcard received by Cesari & McKenna.

The applicant's attorney believes a *bona fide* attempt was met under 37 CFR §1.135(c) because based on Applicant's paying the Issue Fee on time and receiving confirmation from the OIPE that the declaration was received on April 19, 2002. Accordingly, Applicant respectfully requests that the Holding of Abandonment in this matter be withdrawn.

It is believed that no fee is required for this Petition, however, please charge any additional fee occasioned by this paper to our Deposit Account No. 03-1237.

Please do not hesitate to contact the undersigned in order to further advance the prosecution of this Application in any respect.

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Please charge any additional fee occasioned by this paper to our Deposit Account
No. 03-1237.

Respectfully submitted,

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